

COPY

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Attorney Docket No.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: David Miller, Lilac Muller and Robert L. Anderson

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: SYSTEMS AND METHODS FOR OVERCOMING STICTION

Network Photonics, Inc., a Delaware Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

February 25, 2002  
Date

  
Signature

Steven Georgis

Typed or printed name

President and CEO

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# COPY

Please type a plus sign (+) inside this box →



PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	Application Number	
	Filing Date	
	First Named Inventor	David Miller et al.
	Title	SYSTEMS AND METHODS FOR OVERCOMING STICTION
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	19930-002800

I hereby appoint:

☒ Practitioners at Customer Number

20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

Place Customer  
Number Bar Code  
Label here

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☒ Practitioners at Customer Number

20350

☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name

Steven George

Signature

Date

February 25, 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of ONE form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. DE 7060449 v1

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
- ☐ Application No. , filed on ,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor 1 David Miller Date: 02/22/02Signature: *David Miller* Citizen of: United StatesInventor 2 Lilac Muller Date: 2/26/02Signature: *Lilac Muller* Citizen of: United StatesInventor 3 Robert L. Anderson Date: 02/22/02Signature: *Robert L. Anderson* Citizen of: United States

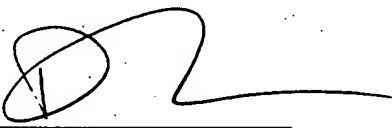
Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on form(s) attached hereto.

**COPY**

Attorney Docket No. 19930-002800

Form PTO-1595 (Rev. 03-01) OMB No. 0651-0027 (exp. 5/31/2002)		Recordation Form Cover Sheet <b>PATENTS ONLY</b>		U.S. Department of Commerce U.S. Patent and Trademark Office	
Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼					
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof					
1. Name of conveying party(ies):  David Miller February 22, 2002			2. Name and address of receiving party(ies)  Name: <u>Network Photonics, Inc.</u>  Internal Address: _____  Street Address: <u>4775 Walnut Street, Suite C</u>  City: <u>Boulder</u> State: <u>CO</u> ZIP: <u>80301</u>  Additional names and addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other: _____  Execution Date: <u>February 22 and 26, 2002</u>					
4. Application number(s) or patent number(s).  If this document is being filed together with a new application, the execution date of the application is: <u>February 22 &amp; 26, 2002</u>  A. Patent Application No(s): _____ B. Patent No(s): _____  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Douglas M. Hamilton TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, California 94111-3834 (303) 571-4000 (Denver)			6. Total number of applications and patents involved One  7. Total fee (37 CFR 3.41): _____ \$40.00  <input type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number: <u>20-1430</u>  (Attach duplicate copy of this page if paying by deposit account)		
<b>DO NOT USE THIS SPACE</b>					
9. Statement and signature.  <i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.</i>  <div style="display: flex; justify-content: space-between;"><div>Douglas M. Hamilton Name of Person Signing Atty. Reg. No. 47,629</div><div style="text-align: center;"> Signature</div><div>February 28, 2002 Date</div></div> Total number of pages including cover sheet, attachments and document 3					

Mail documents to be recorded with required cover to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

Lilac Muller	February 26, 2002
Robert L. Anderson	February 22, 2002

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, David Miller of 1035 South Boulder Road, #115, Louisville, CO 80027; Lilac Muller of 96 Canon Park Drive, Boulder, CO 80302; and Robert L. Anderson of 1011 Rainbow Way, Boulder, CO 80303; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: SYSTEMS AND METHODS FOR OVERCOMING STICTION

Date(s) of execution of Declaration: February 22, 2002; February 26, 2002

Filing Date:      /      /     

Application No.: \_\_\_\_\_; and

WHEREAS, Network Photonics, Inc., a corporation of the state of Delaware, located at 4775 Walnut Street, Suite C, Boulder, CO, 80301, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;


For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 02/22/02

  
David Miller

Dated: 2/26/02

  
Lilac Muller

Dated: 02/22/02

Robert L. Anderson  
Robert L. Anderson

**COPY**REC  
JUL 31

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 29, 2003

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
DAVID N. SLONE  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834

**\*700037867A\***

\*700037867A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/25/2003

REEL/FRAME: 013828/0575

NUMBER OF PAGES: 11

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

NETWORK PHOTONICS, INC.

DOC DATE: 06/17/2003

## ASSIGNEE:

PTS CORPORATION, A DELAWARE  
CORPORATION  
101 INNOVATION DRIVE  
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 10148710

PATENT NUMBER:

FILING DATE: 11/18/2002

ISSUE DATE:

SERIAL NUMBER: 10278182

PATENT NUMBER:

FILING DATE: 10/21/2002

ISSUE DATE:

SERIAL NUMBER: 09551256

PATENT NUMBER:

FILING DATE: 04/18/2000

ISSUE DATE:

SERIAL NUMBER: 09658158

PATENT NUMBER:

FILING DATE: 09/08/2000

ISSUE DATE:

013828/0575 PAGE 2

SERIAL NUMBER: 09747064  
PATENT NUMBER:FILING DATE: 12/20/2000  
ISSUE DATE:SERIAL NUMBER: 10241105  
PATENT NUMBER:FILING DATE: 09/10/2002  
ISSUE DATE:SERIAL NUMBER: 09706489  
PATENT NUMBER:FILING DATE: 11/03/2000  
ISSUE DATE:SERIAL NUMBER: 10076182  
PATENT NUMBER:FILING DATE: 02/12/2002  
ISSUE DATE:SERIAL NUMBER: 10171434  
PATENT NUMBER:FILING DATE: 06/12/2002  
ISSUE DATE:SERIAL NUMBER: 60363724  
PATENT NUMBER:FILING DATE: 03/11/2002  
ISSUE DATE:SERIAL NUMBER: 10243924  
PATENT NUMBER:FILING DATE: 09/12/2002  
ISSUE DATE:SERIAL NUMBER: 09782882  
PATENT NUMBER:FILING DATE: 02/13/2001  
ISSUE DATE:SERIAL NUMBER: 09859069  
PATENT NUMBER:FILING DATE: 05/15/2001  
ISSUE DATE:SERIAL NUMBER: 10161838  
PATENT NUMBER:FILING DATE: 06/03/2002  
ISSUE DATE:SERIAL NUMBER: 60252784  
PATENT NUMBER:FILING DATE: 11/22/2000  
ISSUE DATE:SERIAL NUMBER: 09799916  
PATENT NUMBER:FILING DATE: 03/05/2001  
ISSUE DATE:SERIAL NUMBER: 09899013  
PATENT NUMBER:FILING DATE: 07/03/2001  
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PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:SERIAL NUMBER: 09899001  
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ISSUE DATE:SERIAL NUMBER: 10300438  
PATENT NUMBER:FILING DATE: 11/19/2002  
ISSUE DATE:SERIAL NUMBER: 10087040  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:SERIAL NUMBER: 09899014  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:



013828/0575 PAGE 3

SERIAL NUMBER: 09898988  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:SERIAL NUMBER: 09899104  
PATENT NUMBER:FILING DATE: 07/06/2001  
ISSUE DATE:SERIAL NUMBER: 09880230  
PATENT NUMBER: 6600591FILING DATE: 06/12/2001  
ISSUE DATE: 07/29/2003SERIAL NUMBER: 09954662  
PATENT NUMBER:FILING DATE: 09/12/2001  
ISSUE DATE:SERIAL NUMBER: 10216600  
PATENT NUMBER:FILING DATE: 08/09/2002  
ISSUE DATE:SERIAL NUMBER: 09941325  
PATENT NUMBER:FILING DATE: 08/28/2001  
ISSUE DATE:SERIAL NUMBER: 10093844  
PATENT NUMBER:FILING DATE: 03/08/2002  
ISSUE DATE:SERIAL NUMBER: 10279388  
PATENT NUMBER:FILING DATE: 10/23/2002  
ISSUE DATE:SERIAL NUMBER: 09992087  
PATENT NUMBER:FILING DATE: 11/12/2001  
ISSUE DATE:SERIAL NUMBER: 09992849  
PATENT NUMBER:FILING DATE: 11/12/2001  
ISSUE DATE:SERIAL NUMBER: 10118070  
PATENT NUMBER:FILING DATE: 04/05/2002  
ISSUE DATE:SERIAL NUMBER: 10099392  
PATENT NUMBER:FILING DATE: 03/13/2002  
ISSUE DATE:SERIAL NUMBER: 10098805  
PATENT NUMBER:FILING DATE: 03/13/2002  
ISSUE DATE:SERIAL NUMBER: 10306826  
PATENT NUMBER:FILING DATE: 11/26/2002  
ISSUE DATE:SERIAL NUMBER: 10808789  
PATENT NUMBER:FILING DATE:  
ISSUE DATE:SERIAL NUMBER: 10095794  
PATENT NUMBER:FILING DATE: 03/11/2002  
ISSUE DATE:SERIAL NUMBER: 10093843  
PATENT NUMBER:FILING DATE: 03/08/2002  
ISSUE DATE:SERIAL NUMBER: 10150810  
PATENT NUMBER:FILING DATE: 05/17/2002  
ISSUE DATE:

013828/0575 PAGE 4

SERIAL NUMBER: 10126189  
PATENT NUMBER:

FILING DATE: 04/19/2002  
ISSUE DATE:

SERIAL NUMBER: 10401416  
PATENT NUMBER:

FILING DATE: 03/28/2003  
ISSUE DATE:

SERIAL NUMBER: 10147181  
PATENT NUMBER:

FILING DATE: 05/15/2002  
ISSUE DATE:

SERIAL NUMBER: 10242213  
PATENT NUMBER:

FILING DATE: 09/12/2002  
ISSUE DATE:

SERIAL NUMBER: 10262404  
PATENT NUMBER:

FILING DATE: 09/30/2002  
ISSUE DATE:

SERIAL NUMBER: 09442061  
PATENT NUMBER: 6501877

FILING DATE: 11/16/1999  
ISSUE DATE: 12/31/2002

SERIAL NUMBER: 09745760  
PATENT NUMBER: 6542657

FILING DATE: 12/20/2000  
ISSUE DATE: 04/01/2003

SERIAL NUMBER: 09745459  
PATENT NUMBER: 6535664

FILING DATE: 12/20/2000  
ISSUE DATE: 03/18/2003

SERIAL NUMBER: 09615300  
PATENT NUMBER: 6449096

FILING DATE: 07/13/2000  
ISSUE DATE: 09/10/2002

SERIAL NUMBER: 09669758  
PATENT NUMBER: 6517734

FILING DATE: 09/26/2000  
ISSUE DATE: 02/11/2003

SERIAL NUMBER: 09748687  
PATENT NUMBER: 6490089

FILING DATE: 12/21/2000  
ISSUE DATE: 12/03/2002

SERIAL NUMBER: 06275888  
PATENT NUMBER: 4381387

FILING DATE: 06/22/1981  
ISSUE DATE: 04/26/1983

SERIAL NUMBER: 09837362  
PATENT NUMBER: 6525352

FILING DATE: 04/18/2001  
ISSUE DATE: 02/25/2003

SERIAL NUMBER: 09899000  
PATENT NUMBER: 6535319

FILING DATE: 07/03/2001  
ISSUE DATE: 03/18/2003


SERIAL NUMBER: 09941998  
PATENT NUMBER: 6439728

FILING DATE: 08/28/2001  
ISSUE DATE: 08/27/2002

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07/25/2003  
700037867

Attorney Docket No. 019930-000000US

Form PTO-1595 (Rev. 10-02) OMB No. 0651-0027 (exp. 5/31/2002)		Recordation Form Cover Sheet <b>PATENTS ONLY</b>		U.S. Department of Commerce U.S. Patent and Trademark Office	
Tab settings: [Icons]					
To the Honorable Commissioner of Patents and Trademarks, Please record this attached original document or copy thereof					
1. Name of conveying party(ies):  Network Photonics, Inc.			2. Name and address of receiving party(ies)  Name: PTS Corporation  Internal Address: A Delaware Corporation  Street Address: 101 Innovation Drive  City: San Jose State: CA ZIP: 95134		
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No.			Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:			Execution Date: June 17, 2003		
4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:					
A. Patent Application No(s): 10/148,710 10/278,182 09/551,256 09/658,158 09/747,064			B. Patent No(s): 6,501,877 6,542,657 6,535,664 6,449,096 6,517,734		
Additional numbers attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: David N. Slone TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, California 94111-3834 (650) 326-2400			6. Total number of applications and patents involved: 55		
			7. Total fee (37 CFR 3.41): \$2200.00  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account		
			8. Deposit account number: 20-1430 (Attach duplicate copy of this page if paying by deposit account)		
DO NOT USE THIS SPACE					
9. Statement and signature.  To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.					
David N. Slone Atty. Reg. No. 28,572		 Signature		July 25, 2003 Date	
Total number of pages including cover sheet, attachments and documents: 11					

Mail documents to be recorded with required cover sheet information to:  
 Mail Stop Assignment Recordation Services  
 Director of the U.S. Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

07/25/03 10:00:00 AM 07/25/03 10:00:00 AM

Form PTO-1505  
Recordation Form Cover Sheet  
Patents Only  
Page 2

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)
2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)
3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

## A. Patent Application No.(s)

10/241,105  
09/706,489  
10/076,182  
10/171,434  
60/363,724  
10/243,924  
09/782,882  
09/859,069  
10/161,838  
60/252,784  
09/799,916  
09/899,013  
09/899,002  
09/899,001  
10/300,438  
10/087,040  
09/899,014  
09/898,988  
09/899,004  
09/880,230  
09/954,662  
10/216,600  
09/941,325  
10/093,844  
10/279,388  
09/992,087  
09/992,849  
10/118,070  
10/099,392  
10/098,805  
10/306,826  
10/080,789  
10/095,794  
10/093,843  
10/150,810  
10/126,189  
10/401,416  
10/147,181  
10/242,213  
10/262,404

## B. Patent No.(s)

6,490,089  
6,381,387  
6,525,352  
6,535,319  
6,439,728

EXHIBIT 3.02(b)

PATENT ASSIGNMENT

ASSIGNMENT AND TRANSFER OF PATENTS

WHEREAS, Network Photonics, Inc., a Delaware corporation, with offices at 4775 Walnut Street, Boulder, Colorado 80301 ("Assignor") owns certain patent applications and/or registrations, as listed in Exhibit A attached hereto and incorporated herein by this reference ("Patents"); and

WHEREAS, PTS Corporation, a Delaware corporation, with offices at 101 Innovation Drive, San Jose, California 95134 ("Assignee"), desires to acquire all of the right, title and interest of Assignor in, to and under the Patents;

WHEREAS, Assignor and Assignee have entered into a certain Asset Purchase Agreement, dated as of June 17, 2003 ("Assignment Agreement"), assigning, among other things, all right, title and interest in, to and under the Patents and in, to and under the registrations for same from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration described in the Assignment Agreement, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby irrevocably sell, assign, transfer and convey unto Assignee all of its right, title and interest in and to the Patents, including all patent applications and divisions, continuations, continuations-in-part, reexaminations, substitutions, reissues, extensions and renewals of the applications and registrations for the Patents (and the right to apply for any of the foregoing); all rights to causes of action and remedies related thereto (including, without limitation, the right to sue for past, present or future infringement, misappropriation or violation of rights related to the foregoing); and any and all other rights and interests arising out of, in connection with or in relation to the Patents throughout the universe, including without limitation all foreign counterparts and foreign equivalents of any of the foregoing.

Assignor authorizes and requests the patent officials in the United States and in any and all foreign jurisdictions to issue any and all letters patent and foreign counterparts or equivalents thereof to PTS Corporation, as assignee of the entire interest of Assignor therein, and covenants that Assignor has full right to convey the entire interest herein assigned and that Assignor has not executed and will not execute any agreements in conflict herewith.

Assignor further agrees, for itself, its successors and assigns, to execute such further documents and to perform such further lawful acts as may reasonably be required to effectuate this assignment.

IN WITNESS WHEREOF, Assignor has caused this assignment to be duly executed by an authorized officer on this 17<sup>th</sup> day of June, 2003.

Network Photonics, Inc.

By: [Signature]  
Name: Steve Georgis  
Title: President & CEO

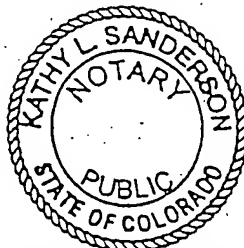
STATE OF Colorado )  
 ) ss.  
COUNTY OF Boulder )

On June 17, 2003, before me, the undersigned notary public in and for said County and State, personally appeared Steve Georgis

X personally known to me [or]  
\_\_\_\_\_ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) Steve Georgis subscribed to the within instrument and acknowledged to me that Steve Georgis executed the same in his authorized capacity(ies) and that, by his signature(s) on the instrument, the person(s) the entity(ies) upon behalf of which the person(s) acted executed the instrument.

Witness my hand and official seal.



My Commission Expires 04/07/04

Kathy L. Sanderson

My commission expires on

April 7, 2004

Kathy L. Sanderson  
4775 Walnut Street  
Boulder, CO 80301

# EXHIBIT A

## PATENTS

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue I
019930-000100 US (DNS)	Wavelength Router	Weverka, Robert T. Roth, Richard S.	09/442061	11/16/1999	6501877	12/31/2
019930-000110 CA (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	2389622	11/14/2000		
019930-000110 CN (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00815769.3	11/14/2000		
019930-000110 EP (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00983709.7	11/14/2000		
019930-000110 JP (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	2001-538854	11/14/2000		
019930-000110 PC (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00/31448	11/14/2000		
019930-000110 US (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	10/148710	5/29/2002		
019930-000120 US (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	10/278182	10/21/2002		
019930-000200 CA (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	2406369	3/22/2001		
019930-000200 CN (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	1811343.5	3/22/2001		
019930-000200 EP (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	01928317.5	3/22/2001		
019930-000200 JP (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	2001-576415	3/22/2001		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue D
019930-000940 US PMB (DNS)	Diffraction Grating With Reduced Polarization-Dependent Loss	Fabiny, Larry Sarto, Tony	10/241105	9/10/2002		
019930-001000 PC DJG PMB (DNS)	Reduction of Polarization-Dependent Loss from Grating Used in Double-Pass Configuration	Fabiny, Larry	PCT/US01/47565	11/2/2001		
019930-001000 US DJG PMB (DNS)	Reduction of Polarization-Dependent Loss from Grating Used in Double-Pass Configuration	Fabiny, Larry	09/706489	11/3/2000		
019930-001010 US PMB (DNS)	Reduction of Polarization Dependent Loss from a Grating Used in Double Pass Configuration	Fabiny, Larry	10/076182	2/12/2002		
019930-001020 US PMB (DNS)	Reduction of Polarization-Dependent Loss in Double Pass Configurations	Silveira, Paulo E. X. Sarto, Tony Fabiny, Larry Voitel, Marko	10/171434	6/12/2002		
019930-001100 US PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming Using Micromirror Routing	Weaver, Samuel P.	60/363724	3/11/2002		
019930-001110 PC PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming and Dynamic Channel Equalization Using Micromirror Routing	Weaver, Samuel P. Sarto, Andrew W.	PCT/US03/07902	3/11/2003		
019930-001110 US PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming Using Micromirror Routing	Weaver, Samuel P. Sarto, Anthony W.	10/243924	9/12/2002		
019930-001200 US PMB (DNS)	Focal Length Disperation Compensation for Field Curvature	Weaver, Samuel P. Cahill, Raymond F.	09/782882	2/13/2001		
019930-001300 PC DJG (DNS)	Athermalization of a Wavelength Routing Element	Wendland Jr., R.G.	01/24242	7/31/2001		
019930-001300 US DJG (DNS)	Athermalization of a Wavelength Routing Element	Wendland Jr., R.G.	09/630817	8/2/2000	6381387	4/30/
019930-001400 US RTB (DNS)	Hidden Flexure Ultra-Planar Optical Routing Element	Michalick, M. A.	09/859069	5/15/2001		
019930-002000 US RTB (DNS)	Optical Routing Elements	Wendland, Jr., R.G.	10/161838	6/3/2002		
019930-002200 US PMB (DNS)	Method to Reduce Release Time of Micromachined Devices	Muller, Lilac Staple, Bevan	60/252784	11/22/2000		
019930-002210 US PMB (DNS)	Method to Reduce Release Time of Micromachined Devices	Muller, Lilac Staple, Bevan	09/837362	4/18/2001	6525352	2/25/



TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue D
019930-000200 PC (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P.  Weverka, Robert T.	PCT/US01/09442	3/22/2001		
019930-000200 US (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P.  Weverka, Robert T.	09/551256	4/18/2000		
019930-000500 US PMB (DNS)	Linear Optical Beam Translator for Optical Routing	Weaver, Samuel P.  Weverka, Robert T. Roth, Richard S.	09/658158	9/8/2000		
019930-000510 PC PMB (DNS)	Linear Optical Beam Translator For Optical Routing	Weaver, Samuel P.  Weverka, Robert T. Roth, Richard S.	01/28309	9/7/2001		
019930-000600 PC PMB (DNS)	Binary Switch for an Optical Wavelength Router	Anderson, Robert L.	01/50524	12/20/2001		
019930-000600 US PMB (DNS)	Binary Switch for an Optical Wavelength Router	Anderson, Robert L.	09/745760	12/20/2000	6542657	4/1/2
019930-000700 PC PMB (DNS)	1X2 Optical Wavelength Router	Anderson, Robert L.	01/50441	12/20/2001		
019930-000700 US PMB (DNS)	1X2 Optical Wavelength Router	Anderson, Robert L.	09/745459	12/20/2000	6535664	3/18/2
019930-000800 US PMB (DNS)	Wavelength Router with Staggered Input-Output Fibers	Anderson, Robert L.  Weaver, Samuel P.	09/747064	12/20/2000		
019930-000900 US PMB (DNS)	Diffraction Grating with Reduced Polarization-Dependent Loss	Fabiny, Larry  Sarto, Tony	09/615300	7/13/2000	6449096	9/10/2
019930-000910 US PMB (DNS)	Grating Fabrication Process Using Combined Crystalline- Dependent & Crystalline-Independent Etching	Muller, Lilac  Arnett, Kenneth E. Fabiny, Larry Pister, Kristofer S.	09/669758	9/26/2000	6517734	2/11/2
019930-000920 US PMB (DNS)	Diffraction Grating with Reduced Polarization-Dependent Loss	Fabiny, Larry	09/748687	12/21/2000	6490089	12/3/2
019930-000930 PC PMB (DNS)	Diffraction Grating With Reduced Polarization-Dependent Loss	Fabiny, Larry  Sarto, Tony Muller, Lilac Arnett, Kenneth E. Pisterf, Kristofer	01/22229	7/11/2001		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue D
019930-002300 US PMB (DNS)	Method for Reducing Leaching in Metal-Coated MEMS	Staple, Bevan  Miller, David Muller, Lilac	09/799916	3/5/2001		
019930-002400 US PMB (DNS)	Optical Surface-Mount Lens Cell	Anderson, David Paul	09/899013	7/3/2001		
019930-002500 US PMB (DNS)	MEMS-Based, Non-Contacting, Free-Space Optical Switch	Staple, Bevan  Roth, Richard S.	09/899002	7/3/2001		
019930-002600 US PMB (DNS)	Free-Space Optical Wavelength Routing Elements Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor  Staple, Bevan Marinelli, David	09/899000	7/3/2001	6535319	3/18/2
019930-002700 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	09/899001	7/3/2001		
019930-002710 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	10/300438	11/19/2002		
019930-002800 US DMH (DNS)	Systems & Methods for Overcoming Stiction	Miller, David  Muller, Lilac  Anderson, Robert L.	10/087040	2/28/2002		
019930-003000 US DMH (DNS)	Methods & Apparatus for Providing a Multi-Stop Micromirror	Anderson, David Paul	09/899014	7/3/2001		
019930-003100 US DMH (DNS)	Systems & Methods for Overcoming Stiction Using a Lever	Anderson, David Paul	09/898988	7/3/2001		
019930-003200 US PMB (DNS)	Bistable Mirror with Contactless Stops	Muller, Lilac	09/899004	7/3/2001		
019930-003500 US PMB (DNS)	Micromirror Array Having Adjustable Angles	Anderson, Robert L.  Staple, Bevan Roth, Richard S.	09/880230	6/12/2001		
019930-003600 US PMB (DNS)	Dual-Wave Optical Shared Protection Ring	Wahler, Ronald A.  Bortolini, Edward J.	09/954662	9/12/2001		
019930-003700 US WFV (DNS)	Method & Apparatus for Protecting Wiring & Integrated Circuit Device	Anderson, Robert L.  Reyes, David	10/216600	8/9/2002		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue E
019930-004000 US PMB (DNS)	MEMS Die Holder	Roberts, Joseph	09/941325	8/28/2001		
019930-004400 US PMB (DNS)	Multimirror Stack for Vertical Integration of MEMS Devices in Two-Position Retroreflectors	Copeland, Frederick	09/941998	8/28/2001	6439728	8/27/2
019930-004500 US PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Iraschko, Rainer R. Morley, George D.	10/093844	3/8/2002		
019930-004510 PC PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements and Methods For Performing In-Service U	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Iraschko, Rainer R. Morley, George D.	PCT/US03/07422	3/10/2003		
019930-004510 US PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements	Weverka, Robert T.	10/279388	10/23/2002		
019930-005500 US PMB (DNS)	Wavelength Router with a Transmissive Dispersive Element	Fabiny, Larry	09/992087	11/12/2001		
019930-005600 US PMB (DNS)	High Efficiency, Low Polarization Dependent Loss, Lamellar Diffraction-Grating Profile & Production Process	Fabiny, Larry  Arnett, Kenneth E.	09/992849	11/12/2001		
019930-005700 US PMB (DNS)	Survivable Ring Transmission System with Multiple Protection Classes	Iraschiko, Rainer R.  MacGregor, Michael H Morley, George David Stamatelakis, Demetr Wahler, Ronald A.	10/118070	4/5/2002		
019930-005800 US PMB (DNS)	One-to-M Wavelength Routing Element	Cizek, Nicholas C.  Weaver, Samuel Paul	10/099392	3/13/2002		
019930-005900 US G2B PMB (DNS)	Two-By-Two Wavelength Routine Element Using One Two- Position MEMS Mirrors	Cizek, Nicholas C.	10/098805	3/13/2002		
019930-006000 US RCL (DNS)	Method for Sub Network Connection Protection in All Optical Networks	Weverka, Robert T.	10/306826	11/26/2002		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue D
019930-006100 US PMB (DNS)	Methods for Affirming Switched Status of MEMS Based Devices	Staple, Bevan  Anderson, Robert L.	10/080789	2/21/2002		
019930-007300 PC PMB (DNS)	Tunable DWDM Demultiplexer	Christopher S., Alaimo  Bortolini, Edward J. DeFrancesco, Marc Honca, Keith Marinelli, David Mechels, Steven Rice, James Weverka, Robert T. Kiruluta, Andrew J. M. Wood, Christopher Stephen Kaliskl, Robert W.	PCT/US03/07899	3/11/2003		
019930-007300 US PMB (DNS)	Tunable DWDM Demultiplexer	Christopher S., Alaimo  Bortolini, Edward J. DeFrancesco, Marc Honea, Keith Marinelli, David Mechels, Steven Rice, James Weverka, Robert T. Kiruluta, Andrew J. M.	10/095794	3/11/2002		
019930-007500 US PMB (DNS)	Methods for Performing In-Service Upgrades of Optical Wavelength Cross Connects	Bortolini, Edward J.	10/093843	3/8/2002		
019930-007900 US PMB (DNS)	Bidirectional Wavelength Cross- Connect Architectures Using Wavelength Routing Elements	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Weaver, Samuel Paul Silveira, Paulo E. X.	10/150810	5/17/2002		
019930-008000 US PMB (DNS)	Multi-City DWDM Wavelength Link Architectures & Methods for Upgrading	Alaimo, S.Christophe  Barthel, Dirk Morley, George David Bortolini, Edward J. Urie, Richard W.	10/126189	4/19/2002		
019930-008100 US PMB (DNS)	Optical Routing Mechanism With Integral Fiber Input/Output Arrangement on MEMS Die	KAPLAN, MICHAEL	10/401416	3/28/2003		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue I
019930-008200 US PMB (DNS)	Variable-Density Optical Cross Connect Architectures & Upgrades	Weverka, Robert T.  Bortolini, Edward J. Urie, Richard W. Clark, Phillip	10/147181	5/15/2002		
019930-008300 US PMB (DNS)	Surfactant-Enhanced Protection of Micromechanical Components from Galvanic Degradation	Staple, Bevan	10/242213	9/12/2002		
019930-008400 US PMB (DNS)	Floating Entrance Guard for Preventing Electrical Short Circuits	Miller, David	10/262404	9/30/2002		
019930-008800 US PMB (DNS)	Equipment Monitoring Techniques for Optical Switching & Wavelength Switching Devices & Systems					